



RESOLUTION TITLE: ZONING MAP CHANGE: Z21-08 GARREN LEE BEAM (APPLICANT); PROPERTY PARCEL: 304255 (PART OF), LOCATED AT 456 ROBERT RD., CHERRYVILLE, NC, REZONE FROM THE (I-2) GENERAL INDUSTRIAL ZONING DISTRICT TO THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT

WHEREAS, a County Zoning ordinance was adopted on April 24, 2008 and a public hearing was held on March 23, 2021 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 304255 (part of)
Applicant: Garren Lee Beam
Owner(s): Garren Lee Beam
Property Location: 456 Robert Rd.
Request: Rezone Parcel 304255 (part of) from the (I-2) General Industrial Zoning District to the (R-1) Single Family Limited Zoning District

public hearing comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting; and,

WHEREAS, the Planning Board recommended approval of the map change for parcel: 304255 (part of), located at 456 Robert Rd., Cherryville, NC, from the (I-2) General Industrial Zoning District to the (R-1) Single Family Limited Zoning District on March 8, 2021 based on: staff recommendation; and the request is reasonable and in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (I-2) to (R-1) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with other residential district within the immediate area.

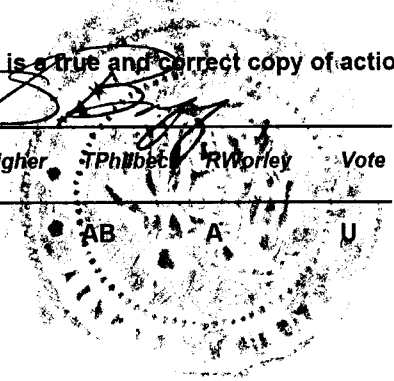
Motion: Horne Second: Fallon Vote: Unanimous
Aye: Ally, Fallon, Harris, Hollar, Horne, Houchard, Hurst, Vinson
Nay:
Absent: Brooks, Sain
Abstain:

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	AFrale	BHovis	KJohnson	TKelgher	JPhibet	RWorley	Vote
2021-072	03/23/2021	AF	CB	A	A	A	A	A	AB	A	U

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NOW, THEREFORE, BE IT RESOLVED that the County Commission, upon consideration of the map change application, public hearing comment and recommendations from the Planning board and Planning staff, finds:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (I-2) to (R-1) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with other residential district within the immediate area.

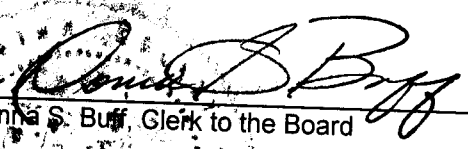
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore the map change request for Property parcel: 304255 (part of), is hereby approved, effective with the passage of this Resolution.

- 2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

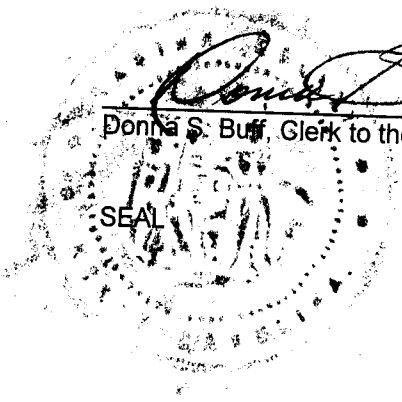


Tom Keigher, Chairman
Gaston County Board of Commissioners

Attest:



Donna S. Buff, Clerk to the Board



General Rezoning Application (Z21-08)

STAFF REPORT

APPLICATION SUMMARY	
Request:	
To rezone property from the (I-2) General Industrial Zoning District to the (R-1) Single Family Limited Zoning District	
Applicant:	Property Owner(s):
Garren Lee Beam	Garren Lee Beam
Parcel Identification (PID):	Property Location:
304255 (part of)	456 Robert Rd. (Cherryville)
Total Property Acreage:	Acreage for Map Change:
11.71 ac	6.37 ac
Current Zoning:	Proposed Zoning:
(I-2) General Industrial	(R-1) Single Family Limited
Existing Land Use:	Proposed Land Use:
Undeveloped / Vacant	Single Family Residential

COMPREHENSIVE LAND USE PLAN
Area 1: Rural Gaston / Northwestern Gaston
Key issues for citizens in this area include preservation of open space; road improvements and better connectivity to other areas of the County and throughout the region; increased job opportunities; preservation of agriculture and maintaining the rural “feel” of the community; repurpose vacant buildings and facilities for new economic opportunities; and, steer development towards existing infrastructure.
Comprehensive Plan future Land Use:
Rural – Rural areas are areas characterized by green rolling hills and plenty of open space. Residential homes are located on large lots and are set back from the roads they front upon. There are many opportunities for agribusiness ventures in this designation as well, including farming, landscaping and associated nurseries, etc. It is understood that this is the default use designation for Gaston County.
Staff Recommendation:
Application, as presented, is consistent with the Comprehensive Land Use Plan.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE
Water/Sewer Provider:
Private well / private septic
Road Maintenance:
North Carolina Department of Transportation

AREA SALES DATA

Sales Summary (Valid Sales from January 2017):

Source: Gaston County Tax Department

Total Number of Sales: 4

Total Value of Sales: **\$697,500**

Low Sale	High Sale	Average Sale
\$100,00	\$252,500	\$172,500

AREA SALES MAP

Source: Gaston County Tax Department (GIS Website 2018)



Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)

Highlights from the comments did not include any significant projects in the immediate area. (See attached)

STAFF SUMMARY

Prepared By: Sarah Carpenter Penley, Senior Planner

This property is located in a residential area of the north western region of the county. The location is primarily residential in nature with mixture of different housing types (site built, modular, and manufactured) which is not uncommon in a rural area and setting.

If approved, any uses allowed in the (R-1) Single Family Limited Zoning District would be permitted in accordance with standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).

PLANNING BOARD RECOMMENDATION

Scheduled Meeting Date: March 8, 2021

Meeting Summary / Points of Discussion: Staff provided Board members with a history of the property, which included that the parcel is currently vacant and undeveloped. It presents as a parcel with “split zoning”, with two different zoning districts located on the property. With this application, the property owner is seeking to consolidate the zoning from two zoning districts into one for the entirety of the parcel.

Discussion and questions by Board members included uses on adjacent properties, to which staff referred to aerial and zoning maps used in presentation to confirm single-family residential. Clarification was also made that the parcel was zoned as two different districts with (I-2) General Industrial being located along the portion with road frontage and (R-1) Single Family Limited being located along the remainder. It was also noted that the majority of zoning in the immediate area was located within the zoning jurisdiction for the Town of Cherryville.

A question was posed as to the intended use, if known, by the applicant. Staff responded that the applicant did indicate the intent to build a site built single family dwelling.

The Board unanimously voted to approve the application, with a vote of (8) to (0), based upon the following statement of consistency:

The proposed rezoning is in the Rural future land use plan. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (I-2) to (R-1) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with other residential districts within the immediate area.

Board members in attendance: Ally, Fallon, Harris, Hollar, Horne, Houchard, Hurst, Vinson

Board members absent: Brooks, Sain

Attachments: MPO Comments, Proposed Uses, Maps



GASTON COUNTY Department of Building & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052 Phone: (704) 866-3195
Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578 Fax: (704) 866-3966

GENERAL REZONING APPLICATION

Application Number: **Z** 21-08

Applicant Planning Board (Administrative) Board of Commission (Administrative) ETJ

A. *APPLICANT INFORMATION

Name of Applicant: Garren Lee Beam
(Print Full Name)

Mailing Address: P. O. Box 114, Cherryville, NC 28021
(Include City, State and Zip Code)

Telephone Numbers: (704)472-9978 (704)472-9979
(Area Code) Business (Area Code) Home

Email: gbeam33@gmail.com

** If the applicant and property owner(s) are not the same individual or group, the Gaston County Zoning Ordinance requires written consent form from the property owner(s) or legal representative authorizing the Rezoning Application. Please complete the Authorization/Consent Section on the reverse side of the application.*

B. OWNER INFORMATION

Name of Owner: Same
(Print Full Name)

Mailing Address: _____
(Include City, State and Zip Code)

Telephone Numbers: _____
(Area Code) Business (Area Code) Home

Email: _____

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 456 Robert Rd. (Cherryville)

Parcel Identification (PID): 304255

Acreage of Parcel: 11.71 +/- Acreage to be Rezoned: 6.37 +/- Current Zoning: (R-1)(I-2)

Current Use: Vacant / Undeveloped Proposed Zoning: (R-1)

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: _____ Name of Property Owner: _____

Mailing Address: _____ Mailing Address: _____
(Include City, State and Zip Code) (Include City, State and Zip Code)

Telephone: _____ Telephone: _____
(Area Code) (Area Code)

Parcel: _____ Parcel: _____
(If Applicable) (If Applicable)

(Signature) (Signature)

E. AUTHORIZATION AND CONSENT SECTION

(I/We), being the property owner(s) or heir(s) of the subject property referenced on the Gaston County Rezoning Application and having authorization/interest of property parcel(s) _____ hereby give _____ consent to execute this proposed action.

(Name of Applicant)

(Signature)

(Date)

(Signature)

(Date)

I, _____, a Notary Public of the County of _____ State of North Carolina, hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the _____ day of _____, 20_____.

Notary Public Signature

Commission Expiration

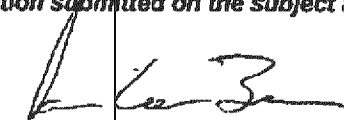
(I/We), also agree to grant permission to allow employees of Gaston County to enter the subject property during reasonable hours for the purpose of making Zoning Review.

Please be advised that an approved general rezoning does not guarantee that the property will support an on site wastewater disposal system (septic tank). Though a soil analysis is not required prior to a general rezoning submittal and/or approval, the applicant understands a chance exists that the soils may not accommodate an on site wastewater disposal system thus adversely limiting development choices/uses unless public utilities are accessible.

If the application is not fully completed, this will cause rejection or delayed review of the application. In addition, please return the completed application to the Planning and Development Services Department within the County Administrative Building located at 128 West Main Avenue, Gastonia, NC 28052.

APPLICATION CERTIFICATION

(I, We), the undersigned being the property owner/authorized representative, hereby certify that the information submitted on the subject application and any applicable documents is true and accurate.



Signature of Property Owner or Authorized Representative

2-4-21

Date

Note: Approval of this request does not constitute a zoning permit. All requirements must be met within the UDO.

OFFICE USE ONLY

OFFICE USE ONLY

OFFICE USE ONLY

Date Received: 02/04/2021

Application Number: Z21-08

Fee: \$500

Received by Member of Staff: SCP
(Initials)

Date of Payment: 02/04/2021

Receipt Number: INV-00022848

COPY OF PLOT PLAN OR AREA MAP
 NOTARIZED AUTHORIZATION

COPY OF DEED
 PAYMENT OF FEE

Date of Staff Review: _____

Date of Public Hearing: 03/23/2021

Planning Board Review: 03/08/2021

Recommendation _____

Date: _____

Commissioner's Decision: _____

Date: _____

Mission Statement

Gaston County seeks to be among the finest counties in North Carolina. It will provide effective, efficient and affordable services leading to a safe, secure and healthy community, an environment for economic growth, and promote a favorable quality of life.



Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

Memorandum

To: Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston County Planning & Development Services
From: Julio Paredes, Planner
Date: March 10, 2021
Subject: 456 Robert Rd, Cherryville, NC – Z21-08 - GCLMPO Rezoning Review

Thank you for the opportunity to provide comments on a proposed rezoning located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

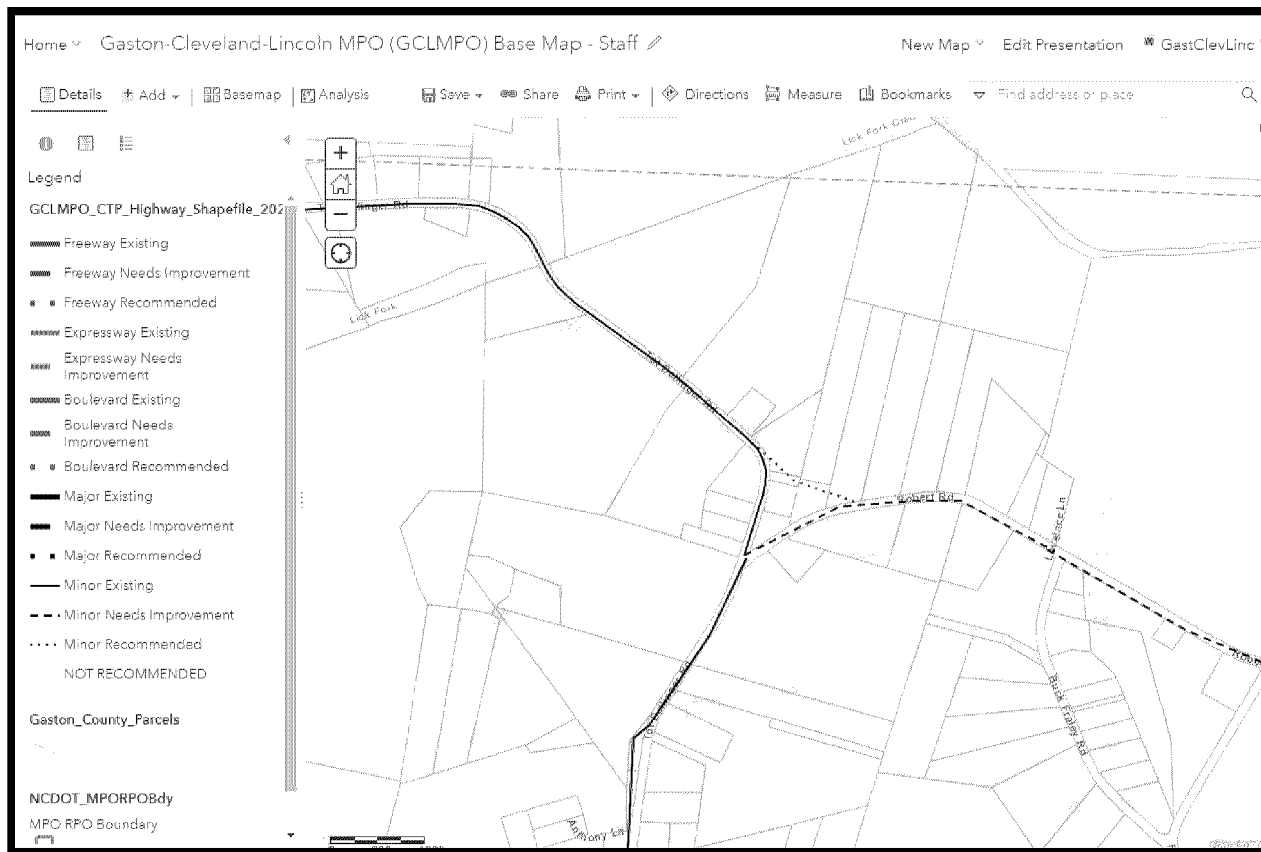
The proposed rezoning is located at 456 Robert Rd, Cherryville, NC. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. On the southern end of this site, a realignment of Robert Rd is recommended and included in the MPO's CTP. The proposed realignment is an unfunded project. The CTP does not include specific transportation projects or improvement schedules, but instead represents the status or completeness of the comprehensive transportation system that may be required for safety, and/or to support anticipated growth and development. By establishing the region's future transportation needs, the CTP offers an organized way to identify, and eventually prioritize, the transportation projects that may be built in the communities within the GCLMPO area. CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project.



Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960



3. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the developer should work with NCDOT on any required driveway permits or any TIA requirements.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

R1 Single Family Limited

(1) Uses allowed by right:

Dwelling, Single-Family; Essential Services Class 1; Recycling Deposit Station, accessory; Taxidermy

(2) Uses allowed by right with supplemental regulations:

Automobile Hobbyist; Bona Fide Farms; Botanical Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Landfill, Land Clearing and Inert Debris, Minor; Marina, Accessory; Maternity Home; Park; Planned Residential Development (PRD); Private Residential Quarters (PRQ); Produce Stand; Restaurant within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; Traditional Neighborhood Development (TND)

(3) Uses allowed with a conditional use permit:

Library; Museum; Zoo

(4) Uses allowed with a conditional use permit, with supplemental regulations:

Bed and Breakfast Inn; Cemetery; Country Club; Day Care Center, Class B; Essential Services Class 4; Fraternal & Service Organization Meeting Facility (non- or not-for profit) 0-9,999 sf GFA; Golf Course, Golf Driving Range, Golf Miniature; Maternity Home; Park; Parking Lot; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Stadium; Tower and/or Station, Radio; Wood Waste Grinding Operation

(5) Existing Use subject to supplemental regulations:

Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

(6) By Conditional Zoning: Marina, Commercial

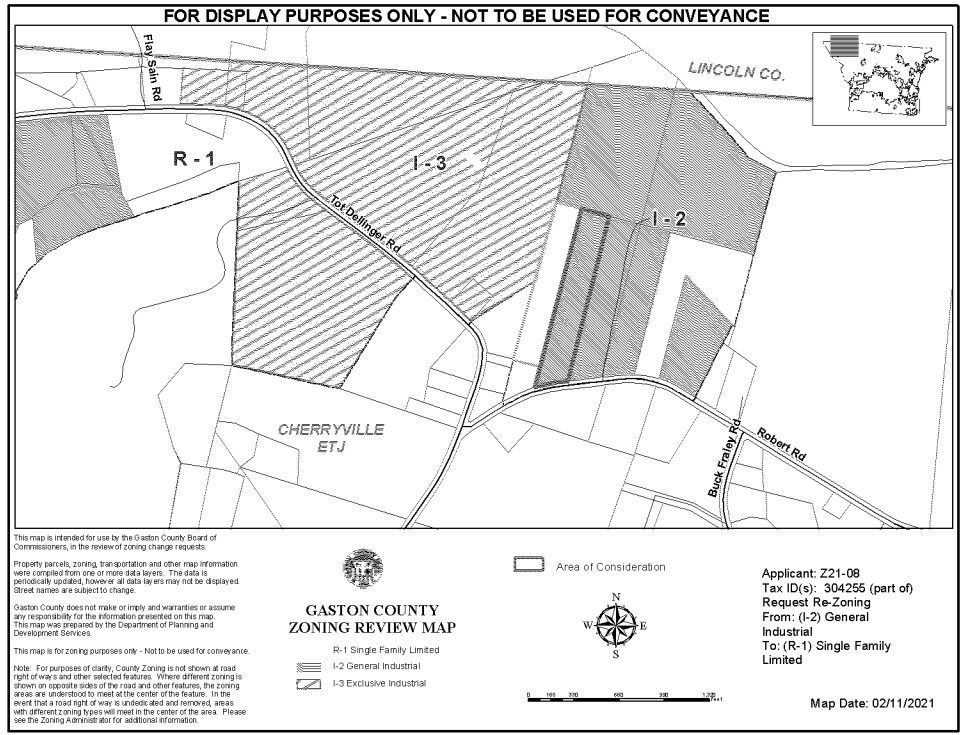
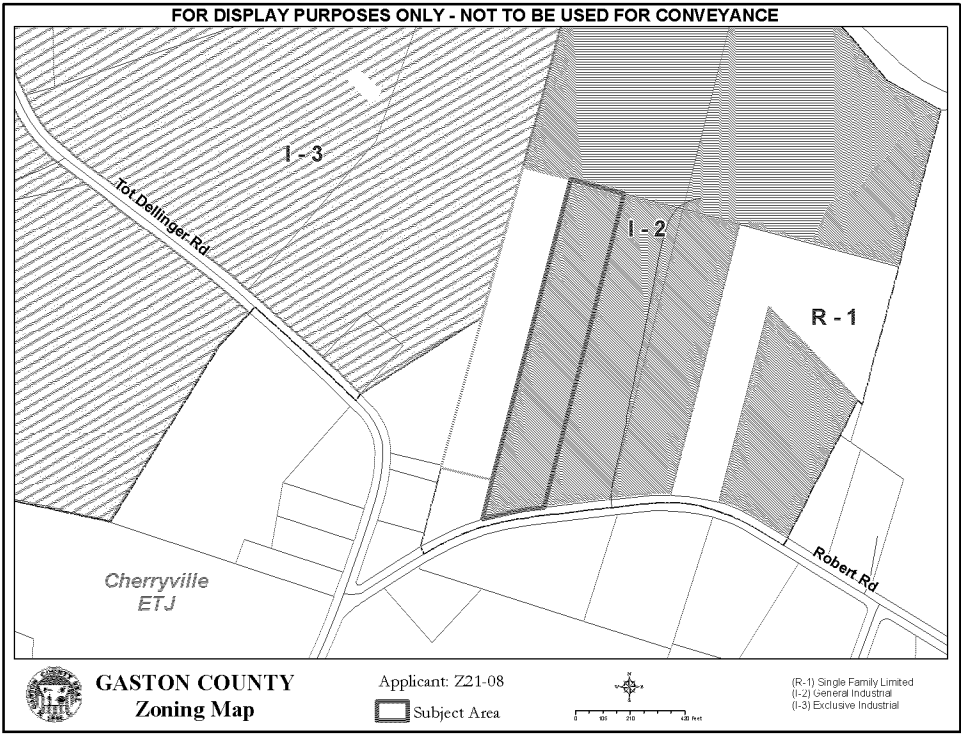
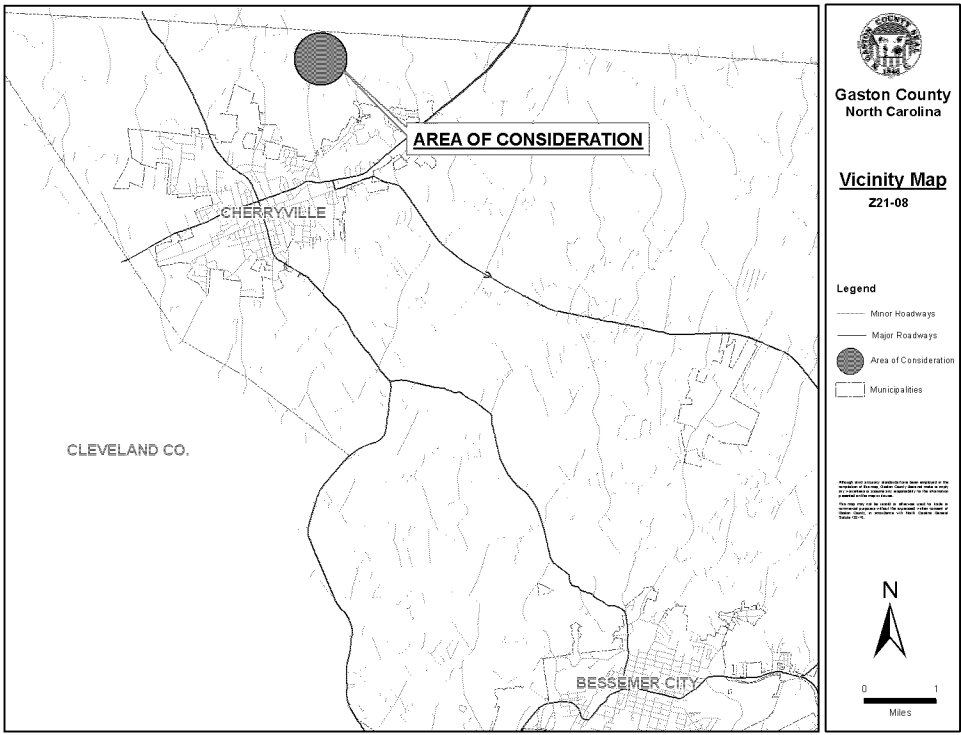
(7) By Conditional Zoning with supplemental regulations:

Planned Residential Development (PRD); Traditional Neighborhood Development (TND)

(8) By Special exception: None

(9) By Special exception with supplemental regulations:

Family Care Home





Z21-08 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 Area of consideration

Z21-08 Owner and Adjacent Property Listing

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
=	304255	BEAM GARREN LEE		P O BOX 114	CHERRYVILLE	NC	28021
1	157294	ELLIS JONATHAN M	ELLIS JULIE C	453 ROBERT RD	CHERRYVILLE	NC	28021
2	157307	BEAM CAROL B LIFE ESTATE		468 ROBERT RD	CHERRYVILLE	NC	28021
3	157285	BEAM DAVID CAMERON	BEAM KIMBERLY P	P O BOX 114	CHERRYVILLE	NC	28021
4	157280	BEAM DAVID CAMERON		P O BOX 114	CHERRYVILLE	NC	28021
5	217626	BEAM DAVID CAMERON	BEAM KIMBERLY P	P O BOX 114	CHERRYVILLE	NC	28021
6	157296	EAKER PHILLIP C JR	EAKER WM C & EAKER ROBERT C	438 ROBERT RD	CHERRYVILLE	NC	28021
7	157304	WALKER FRANCES E		7712 HANSROTE CV	NASHVILLE	NC	37221



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 21-105

Commissioner Fraley - Building & Development Services - Zoning Map Change: Z21-08 Garren Lee Beam (Applicant); Property Parcel: 304255 (part of), Located at 456 Robert Rd., Cherryville, NC, Rezone from the (I-2) General Industrial Zoning District to the (R-1) Single Family Limited Zoning District

STAFF CONTACT

Joseph B. Sciba - Director - 704-866-3970

BACKGROUND

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Planning Board and Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. Garren Lee Beam (Applicant); Rezone Parcel: 304255 (part of), from the (I-2) General Industrial Zoning District to the (R-1) Single Family Limited Zoning District. A public hearing was advertised and held on March 23, 2021 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on March 8, 2021, and the Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information, then (approve), (disapprove) or (modify) the map change.

ATTACHMENTS

Resolution, Staff Report & Application Packet

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	AFraley	BHovis	KJohnson	TKeigher	TRhillbeck	RWorley	Vote
2021-072	03/23/2021	AF	CB	A	A	A	A	A	AB	A	U

DISTRIBUTION:
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